

ZB# 78-3

Eldred Carhart Jr.

32-1-16

Public Hearing

Jan. 9, 1977 -

8:30 pm.

(3) Notice mailed
to Evening News
Dec. 22, 1977.

561-0214

GENERAL RECEIPT

3516

TOWN OF NEW WINDSOR
555 Union Avenue
New Windsor, N. Y. 12550

RECEIVED OF Jan 11 1978
Borlin Holding Co. (Carhart) \$ 25.00
Twenty-five and 00/100 DOLLARS
FOR Application for Varnee # 78-3 (zoning)

DISTRIBUTION:

FUND	CODE	AMOUNT
<u>25.00</u>		
<u>Check</u>		

BY Charlotte Marcantonio
Deputy
TITLE

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----X
In the Matter of the Application of
ELDRED P. CARHART, JR. and JAMES N. MILLS
Application #78-3.
-----X

DECISION GRANTING
USE AND AREA VARIANCES

WHEREAS, ELDRED P. CARHART, JR. of 234 Broadway, Newburgh, New York, and JAMES N. MILLS of 234 Broadway, Newburgh, New York, have applied to the Zoning Board of Appeals for an area and use variance to permit subdivision of property located on Route 207, into two lots - - one vacant lot and one lot with house thereon, in the Town of New Windsor, Orange County, New York; and

WHEREAS, a public hearing on this application for an area and use variance was held by the Zoning Board of Appeals on the 9th day of January, 1978 at the Town Hall of the Town of New Windsor after due notice by publication in The Evening News and due notice to property owners and businesses within 500 feet of the subject premises; and

WHEREAS, at the public hearing, Eldred P. Carhart, Jr. represented himself and Mr. Mills; and

WHEREAS, several residents and property owners in the area were present to object to the poor drainage in the area; and

WHEREAS, the Zoning Board of Appeals makes the following findings of fact in this application:

1. Applicants are seeking a 5,354 sq. ft. variance for insufficient lot area on Lot #1 and 5,275 sq. ft. variance for insufficient lot area on Lot #2, together with a use variance to allow a one-family dwelling in an OLI zone.

2. The size of Lot #1 is 38,206 sq. feet; and the size of Lot #2 is 38,285 sq. ft. The minimum lot area in an OLI zone is 43,560 sq. ft.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this application:

//

1. The use sought by the applicants to be authorized by the variance will not alter the essential character of the locality or neighborhood.

2. The variance sought regarding the area of the parcels in question is not substantial in relation to the legally required areas and bulk standards as set forth in the Zoning Local Law.

3. There will be no substantial change in the character of the neighborhood nor a substantial detriment to the adjoining properties.

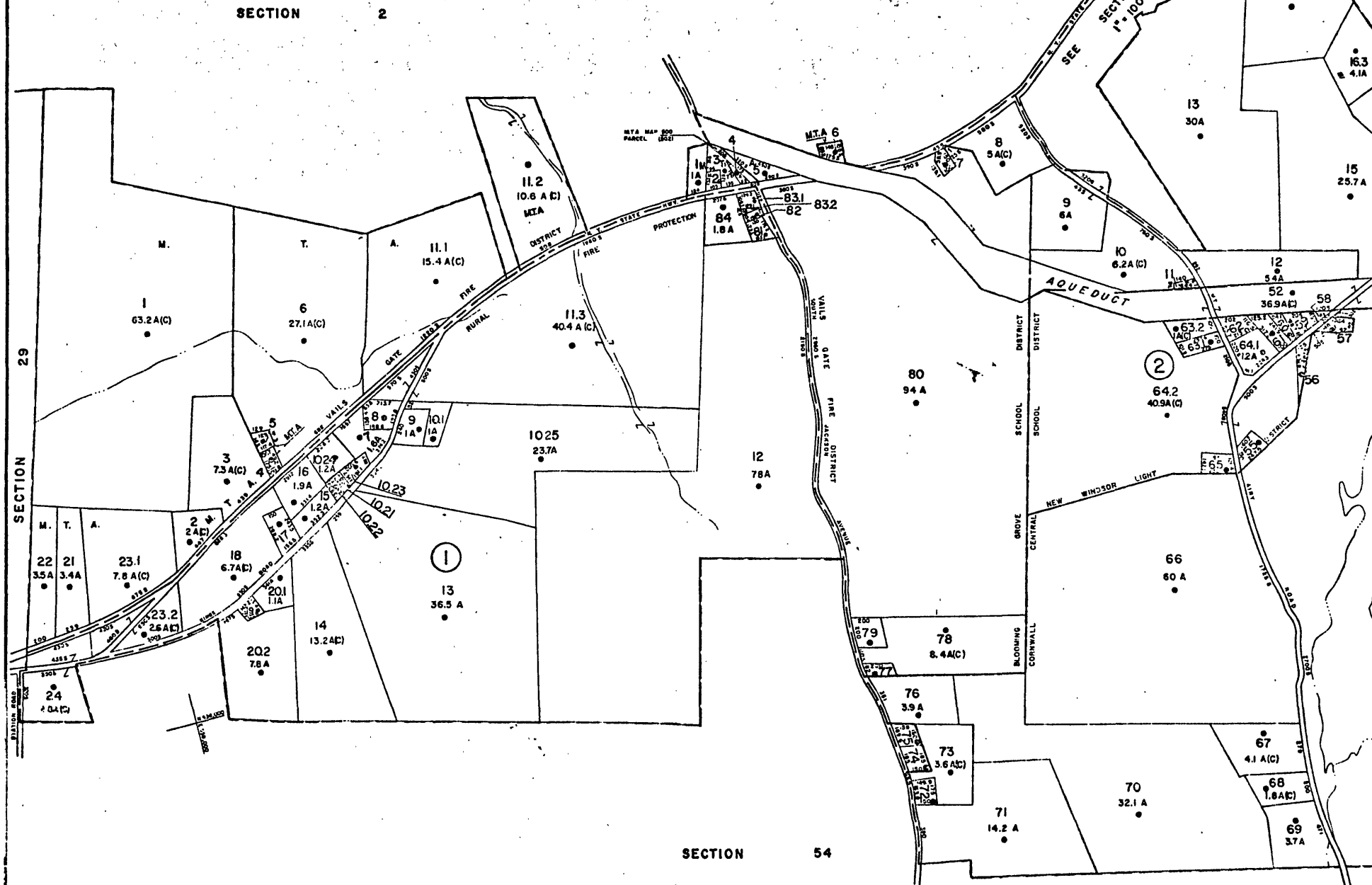
NOW THEREFORE BE IT RESOLVED that the Zoning Board of Appeals of the Town of New Windsor grant an area and use variance as hereinabove requested for use as a residential parcel only; and

BE IT FURTHER RESOLVED that the Secretary of the Zoning Board of Appeals is directed to forward a copy of this decision to the applicants, the Town Planning Board, and the Town Clerk.

Dated: March 27, 1978.

J. Vincent Bivona
Vice Chairman

SECTION 2



882

Prepared by

AFDA ACQUISITION NO

LEGEND

ORANGE COUNT



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
~~Ellsworth E. Went~~
~~XXXXXXXXXX~~
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

December 27, 1977

James N. Mills
Eldred P. Carhart Jr.
RD#3 Locust Lane
Newburgh, New York 12550

RE: 32-1-16

Gentlemen:

According to my records, the attached list of property owners are within the five hundred (500) feet of the above mentioned property.

The charge for this service is \$^{10.00}~~15.00~~. Please remit same to the Town Clerk, Town of New Windsor.

Very truly yours,

A handwritten signature in cursive script, reading 'Joseph G. Parisi'.

JOSEPH G. PARISI
Sole Assessor
Town of New Windsor

JGP/pk
att.



1763

OFFICE OF THE ASSESSOR

TOWN OF NEW WINDSOR

Chairman
~~XXXXXXXXXX~~
555 Union Avenue
New Windsor, New York 12550
(914) 565-8808

R ✓ Flanagan, Edward P. & Dorothy
751 Little Britain Road
New Windsor, N.Y. 12550 ✓

✓ Miles, Frederick E. & Margaret
RD#2 Kings Drive
New Windsor, N.Y. 12550 X

R ✓ Donahue, Peter R. Jr.
RD#2 Route 207
New Windsor, N.Y. 12550 ✓

Respectfully submitted,

R ✓ Flanagan, Edward P. Jr. & Jane Ann
RD#2 Kings Drive
New Windsor, New York 12550 ✓

Joseph G. Parisi
JOSEPH G. PARISI
Sole Assessor
Town of New Windsor

R ✓ Caparaso, James K. & Brenda J.
RD#2 Kings Drive
New Windsor, N.Y. 12550 ✓

R ✓ Flanagan, Edward Peter
751 Little Britain Road
New Windsor, N.Y. 12550 ✓

R ✓ Donohue, Peter R., Flanagan, Dorothy
Denlea, Joan A.
RD#2 Route 207 Box 120
New Windsor, N.Y. 12550 ✓

✓ AHFS Realty Corp.
Box 98A Perkinsville Road
Highland New York 12589

R ✓ Witfield, Donald A.
Box 283 Round Hill Road
Washingtonville, New York 10992 ✓

R ✓ Evans, Calvin Y. & Virginia N.
1 Valley View Drive
New Windsor, N.Y. 12550 ✓

✓ Romano, Anthony J. & Agnes L.
RD#1 Little Britain Road
New Windsor, N.Y. 12550 X

PUBLIC NOTICE OF HEARING BEFORE

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the
TOWN OF NEW WINDSOR, New York will hold a Public Hearing
pursuant to Section 48-33A of the Zoning Ordinance on the
following proposition:

Appeal No. 3

Request of ELDRED P. CARHART, JR. AND JAMES N. MILLS

for a VARIANCE ~~SPECIAL USE PERMIT~~ of

the regulations of the Zoning Ordinance, to permit

Insufficient area on Lot #1; and Insufficient area,

and a residential use in an OLI zone for Lot #2,

being a VARIANCE ~~XXXXXXXXXXXXXXXXXXXX~~ of

Section 48-9 - Table of Use Regulations and Section 48-12
Table of Bulk Regulations, Column 4,
for property situated as follows:

on Route 207, across from Nicklin's, Town of

New Windsor, N. Y.

SAID HEARING will take place on the 9th day of January, 1978,
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y.
beginning at 8:30 o'clock P. M.

MARK STORTECKY,
Vice Chairman

ZONING BOARD OF APPEALS
Town of New Windsor, New York 12550
(914) 565-8550

555 Union Avenue
New Windsor, N. Y. 12550
January 11, 1978

Messrs. Eldred Carhart, Jr. and James N. Mills
234 Broadway
Newburgh, N. Y. 12550

RE: APPLICATION FOR USE VARIANCE BEFORE NEW WINDSOR
ZONING BOARD OF APPEALS
#78-3

Dear Mr. Carhart and Mr. Mills:

This is to confirm that the application for a use variance before the New Windsor Zoning Board of Appeals was granted at a public hearing held on January 9, 1978.

Formal decision of the Board will be drafted by the Attorney for the ZBA and will be acted upon at an upcoming meeting.

Very truly yours,


PATRICIA RAZANSKY, Secretary

/pr

cc: Town Planning Board
Attn: Ernest Spignardo, Chairman

Howard Collett, Bldg/Zoning Inspector
Town of New Windsor

1/9/78 Public Hearing - Eldred Carhart - 8:30 p.m.

<u>Name:</u>	<u>Address:</u>
Edna Hanagan	751 Little Britain Rd.
Edna Hanagan Jr.	R.D. #2 King Dr.
Jane Hanagan	R.D. #2 King Dr.
James Capron	Rd #2 Kings Dr.
Mary Donohue	King Dr. R.D. #2
Peter R. Donohue	King Dr. R.D. #2
Virginia H. Evans	Wakay View Dr. New Windsor
Calvin G. Evans	Valley View Dr. New Windsor

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

78-3
(Number)

1/4/78
(Date)

I. Applicant information:

- Eldred P. Carhart, Jr. 234 Broadway
and James N. Mills Newburgh, New York
- (a) 561-0214
(Name, address and phone of Applicant)
- Lot No. 1: Charles Green, Route 207, Rock Tavern, N.Y.
- (b) Lot No. 2: None
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☒ Use variance Lot No. 2.
- ☒ Area variance Lots 1 & 2.
- ☐ Sign variance
- ☐ Special permit

III. Property information:

- (a) OLI Route 207 32-1-16 1.97 Acres.
(Zone) (Address) (M B L) (Lot size)
- (b) What other zones lie within 500 ft.? _____
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes, Lot No. 1.
- (d) When was property purchased by present owner? 1971
- (e) Has property been subdivided previously? No When? _____
- (f) Has property been subject of variance or special permit previously? No When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? No . If so, when _____
- (h) To whom was it issued? _____

78-3
(Number)

1/4/78.
(Date)

I. Applicant information:

- (a) Eldred P. Carhart, Jr. 234 Broadway
and James N. Mills Newburgh, New York
561-0214
(Name, address and phone of Applicant)
- (b) Lot No. 1: Charles Green, Route 207, Rock Tavern, N.Y.
Lot No. 2: None
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type:

- ☒ Use variance Lot No. 2.
- ☒ Area variance Lots 1 & 2.
- ☐ Sign variance
- ☐ Special permit

III. Property information:

- (a) OLI Route 207 32-1-16 1.97 Acres.
(Zone) (Address) (M B L) (Lot size)
- (b) What other zones lie within 500 ft.? _____
- (c) Is a pending sale or lease subject to ZBA approval of this application? Yes, Lot No. 1.
- (d) When was property purchased by present owner? 1971
- (e) Has property been subdivided previously? No When? _____
- (f) Has property been subject of variance or special permit previously? No When? _____
- (g) Has an order-to-remedy violation been issued against the property by the Zoning Inspector? No. If so, when _____
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail. No

☒ IV. Use variance:

- (a) Use Variance requested from New Windsor Zoning Local Law, Section 48-9, Table of Use Reg Column , to allow and Sec 48-12-Table of Bulk Regulations, Col 4

Presently being used as a one-family house on a large
(Describe proposed use)
lot. Proposed use is to divide property into two lots--
one vacant lot and one lot with the house on it.

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

The neighborhood around the subject property is currently
made up almost exclusively of residential, one-family
dwelling, even though the zoning is OLI. To deny this
property the same use would be inconsistent with the
neighborhood.

☒ V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table Bulk Regs Column 4

<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>	
Min. Lot Area <u>43,560</u>	Lot No. 1: <u>38,206</u>	<u>5,354</u>	<u>-</u>
	Lot No. 2: <u>38,285</u>	<u>5,275</u>	<u>-</u>
Min. Lot Width <u> </u>	<u> </u>	<u> </u>	<u> </u>
Reqd. Front Yard <u> </u>	<u> </u>	<u> </u>	<u> </u>
Reqd. Side Yards <u> </u>	<u> </u>	<u> </u>	<u> </u>
Reqd. Rear Yard <u> </u>	<u> </u>	<u> </u>	<u> </u>
Reqd. Street Frontage* <u> </u>	<u> </u>	<u> </u>	<u> </u>
Max. Bldg. Hgt. <u> </u>	<u> </u>	<u> </u>	<u> </u>
Min. Floor Area* <u> </u>	<u> </u>	<u> </u>	<u> </u>
Development Coverage* <u> </u> %	<u> </u> %	<u> </u>	<u> </u> %
Floor Area Ratio** <u> </u>	<u> </u>	<u> </u>	<u> </u>

* Residential districts only

** Non-residential districts only

...being used as a one-family house on a large
(Describe proposed use)
lot. Proposed use is to divide property into two lots--
one vacant lot and one lot with the house on it.

- (b) The legal standard for a "USE" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

The neighborhood around the subject property is currently made up almost exclusively of residential, one-family dwellings, even though the zoning is OLI. To deny this property the same use would be inconsistent with the neighborhood.

xxv

V. Area variance:

- (a) Area variance requested from New Windsor Zoning Local Law, Section 48-12, Table Bulk Regs Column 4

Requirements	Proposed or Available	Variance Request	
Min. Lot Area	43,560	Lot No. 1: 38,206	5,354 -
		Lot No. 2: 38,285	5,275 -
Min. Lot Width			
Reqd. Front Yard			
Reqd. Side Yards	/	/	/
Reqd. Rear Yard			
Reqd. Street Frontage*			
Max. Bldg. Hgt.			
Min. Floor Area*			
Development Coverage*	%	%	%
Floor Area Ratio**			

* Residential districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you have made to alleviate the difficulty other than this application.

The dwelling unit is already located on this parcel.

Currently, the amount of land used to support it is

not even the full amount of property proposed with

Lot No. 1. The house is so situated as to meet all

the set-back and side yard requirements for the 1-acre,

zone. Many other residential properties in the

area are not on 1-acre plots.



VI.

Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

_____.

Currently, the amount of land used to support it is
 not even the full amount of property proposed with
 Lot No. 1. The house is so situated as to meet all
 the set-back and side yard requirements for the 1-acre
 zone. Many other residential properties in the
 area are not on 1-acre plots.



VI. Sign Variance:

- (a) Variance requested from New Windsor Zoning Local Law,
 Section _____, Table _____, Column _____.

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign 1	_____	_____	_____
Sign 2	_____	_____	_____
Sign 3	_____	_____	_____
Sign 4	_____	_____	_____
Sign 5	_____	_____	_____
<hr/>			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a
 variance, and set forth your reasons for requiring
 extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including
 signs on windows, face of building, and free-standing signs?

☐ VII. Special Permit:

- (a) Special permit requested under New Windsor Zoning Local Law, Section _____, Table _____, Column _____.
- (b) Describe in detail the use and structures proposed for the special permit.

☐ VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

☒ IX. Attachments required:

- ____ Copy of letter of referral from Building and Zoning Inspector.
- xx Copy of contract of sale, lease or franchise agreement.
- XX Copy of tax map showing adjacent properties
- XX Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ____ Copy(ies) of sign(s) with dimensions.
- XX Check in amount of \$25.00 payable to Town of New Windsor.
- Photos of existing premises which show all present signs and landscaping.

(b) Describe in detail the use and structures proposed for the special permit.

☐ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

☒ IX. Attachments required:

___ Copy of letter of referral from Building and Zoning Inspector.

xx Copy of contract of sale, lease or franchise agreement.

XX Copy of tax map showing adjacent properties

XX Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.

___ Copy(ies) of sign(s) with dimensions.

XX Check in amount of \$25.00 payable to Town of New Windsor.

Photos of existing premises which show all present signs and landscaping.

All photos must be 8" x 10" or be mounted on 8 1/2" x 11" paper.

___ Other

(Official Use Only)

X. AFFIDAVIT.

Date January 5, 1978

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Eldred P. Carhart, Jr.
ELDRÉD P. CARHART, JR.

ELDRÉD P. CARHART, JR.

ELDERED P. CARHART, JR.
James N. Mills
(Applicant)

JAMES N. MILLS

Sworn to before me this

5th day of January, 1978.

Marlene A. Vance
MARLENE A. VANCE
Notary Public, State of New York
County of Orange
My commission expires Mar.30,19...29

XI. ZBA Action:

- (a) Public Hearing date _____
- (b) Variance is _____
- (c) Special Permit is _____
- (c) Conditions and safeguards _____
- _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW WHICH WILL BE ADOPTED BY RESOLUTION OF ZONING BOARD OF APPEALS.

COUNTY OF ORANGE)

The Undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Eldred P. Carhart, Jr.
ELDRED P. CARHART, JR.

James N. Mills
(Applicant)
JAMES N. MILLS

Sworn to before me this

5th day of January, 1978.

Marlene A. Vance
MARLENE A. VANCE
Notary Public, State of New York
County of Orange
My commission expires Mar. 30, 1979

XI. ZBA Action:

- (a) Public Hearing date _____
- (b) Variance is _____
- (c) Special Permit is _____
- (c) Conditions and safeguards _____
- _____
- _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY RESO-
LUTION OF ZONING BOARD OF APPEALS.

NEW WINDSOR ZONING BOARD OF APPEALS
Regular Session
November 14, 1977

MEMBERS PRESENT: Chairman Theodore Jargstorff
Richard Fenwick
James Bothwell
Mark Stortecky
Dan McCarville

MEMBERS ABSENT: Daniel Konkol
Vincent Bivona

ALSO PRESENT: Donald S. Goldrich, Esq.
Attorney for the Board
Patricia Razansky, Secretary

A regular session of the Zoning Board of Appeals held at Town Hall on the 14th day of November, 1977 was called to order by Chairman Theodore Jargstorff at 7:30 p.m.

Motion followed by Richard Fenwick, seconded by Mark Stortecky, to approve the minutes of the October 26, 1977 meeting as written. Motion carried, all ayes.

Correspondence received:

1. Correspondence dated 11/7/77 from the Town Supervisor Re: Meeting scheduled on Wayman matter for November 16th at 6:30 p.m. Recorded, received and filed.
2. List of Building Permits for October; recorded, received and filed.
3. Correspondence dated October 18, 1977 from Alice K. Liss Re: Lands of Jacobi (Walter's Trailer Village) recorded, received and filed.

PRELIMINARY MEETINGS:

Mr. Edward P. Flanagan of Route 207, New Windsor appeared before the Zoning Board of Appeals to request an area and use variance on property located on Route 207 near King Drive in an OLI zone.

Mr. Flanagan proposes to construct a single-family residence on Lot #4, which is one-half acre in size more or less (14,000 sq. ft.)

Motion followed by Richard Fenwick, seconded by Dan McCarville that this matter be taken up with the Building Inspector by Chairman Jargstorff.

Roll Call: Mr. Bothwell - Yes
Mr. Fenwick - Yes
Mr. McCarville - Yes
Mr. Stortecky - Yes
Mr. Jargstorff - Yes

November 16, 1977

Motion carried 5 ayes - no nays.

* * * * *

PRELIMINARY MEETINGS:

Item #2 on agenda, Mr. Al Taravella scheduled to appear did not show up.

PRELIMINARY MEETINGS:

Mr. Vincent Lawrence appeared before the Zoning Board of Appeals seeking a 26 ft. rear yard variance to construct a single-family dwelling on Vascello Road in the Town of New Windsor. A minor subdivision had already been approved by the Town Planning Board. (Two lots).

Motion followed by Richard Fenwick, seconded by James Bothwell to schedule Mr. Lawrence for a public hearing on this matter.

Motion carried, all ayes. Applications supplied by Secretary. No date scheduled for hearing.

* * * * *

PRELIMINARY MEETINGS:

Mr. Eldred Carhart, Jr. appeared before the Zoning Board of Appeals with a request to ~~construct a one-family~~ residence in an OLI zone, (1.97 acre parcel) located on Route 207, across from Nicklin's store. This application would require minor subdivision approval from the Planning Board.

Mr. Carhart stated that this piece of property has been on the market for a number of years but no success has been had in selling it.

The following variances were requested: ~~Use~~ (residences are not permitted in OLI), area, sideyard and lot width.

Motion followed by Dan McCarville, seconded by Richard Fenwick to schedule a public hearing on the application of Carhart requesting use, area, sideyard and lot width variances.

Roll Call:	James Bothwell	- Yes
	Richard Fenwick	- Yes
	Dan McCarville	- Yes
	Mark Stortecky	- Yes
	Theodore Jargstorff	- Yes

Motion carried 5 ayes, no nays. No date was chosen for the above public hearing.

November 16, 1977

PRELIMINARY MEETINGS:

Stephen Peller appeared before the Board with a request to subdivide two lots located at the corner of Woodlawn and MacArthur Avenue. Mr. Peller's property is located in an R-4 zone. By subdividing the two lots, he will be creating two undersized lots which are not in conformity with the Zoning Local Law.

Mr. Peller elaborated that his present residence is too large for he and his wife to take care of. Mrs. Peller was hospitalized recently and Mr. Peller feels that he would like to sell the house and move into the apartment above the garage on the adjacent lot.

The following variances would be needed:

Lot #1 - Area variance of approx. 3,270 ft. (has 11,733)
 Lot Width Variance of 20 ft. (has 80 ft)

Lot #2 - Area variance of approx. 4,035 sq. ft. (has 10,965)
 Rear yard variance of 14 feet (has 26 ft.)

Motion followed by Richard Fenwick, seconded by Mark Stortecky to schedule a public hearing on the above matter.

ROLL CALL:	James Bothwell	- Yes
	Rich Fenwick	- Yes
	Dan McCarville	- Yes
	Mark Stortecky	- Yes
	Theodore Jargstorff	- Yes

Motion carried 5 ayes, no nays. Applications furnished by secretary. No date was scheduled for hearing.

* * * * *

A discussion then followed on the interpretation of the word "maintained", since there are two cases before the Board regarding the keeping of domestic animals on property (horses).

Motion followed by Richard Fenwick, seconded by James Bothwell that maintained be interpreted as being the area in which the animal is kept.

Motion carried, all ayes.

* * * * *

Formal decision in the matter of the application of Albert P. Pacione, Esq. for area variance was drafted by Mr. Goldrich and presented to the ZBA members for consideration:

Motion followed by Richard Fenwick, seconded by Mark Stortecky to approve the formal decision on Pacione.

Roll call: James Bothwell - Yes
Rich Fenwick - Yes
Dan McCarville - Yes
Mark Stortecky - Yes
Theodore Jargstorff - Yes

Motion carried 5 ayes, no nays. Formal decision of Pacione accepted and attached as part of these minutes.

Formal decision in the matter of the application of Frank Aceto for special use permit was drafted by Mr. Goldrich and presented to the Board for approval.

Motion by Richard Fenwick, seconded by Dan McCarville to approve the decision of Aceto as written.

Roll Call: James Bothwell - Yes
Rich Fenwick - Yes
Dan McCarville - Yes
Mark Stortecky - Yes
Theodore Jargstorff - Yes

Motion carried 5 ayes, no nays. Formal decision of Aceto accepted and attached as part of these minutes.

* * * * *

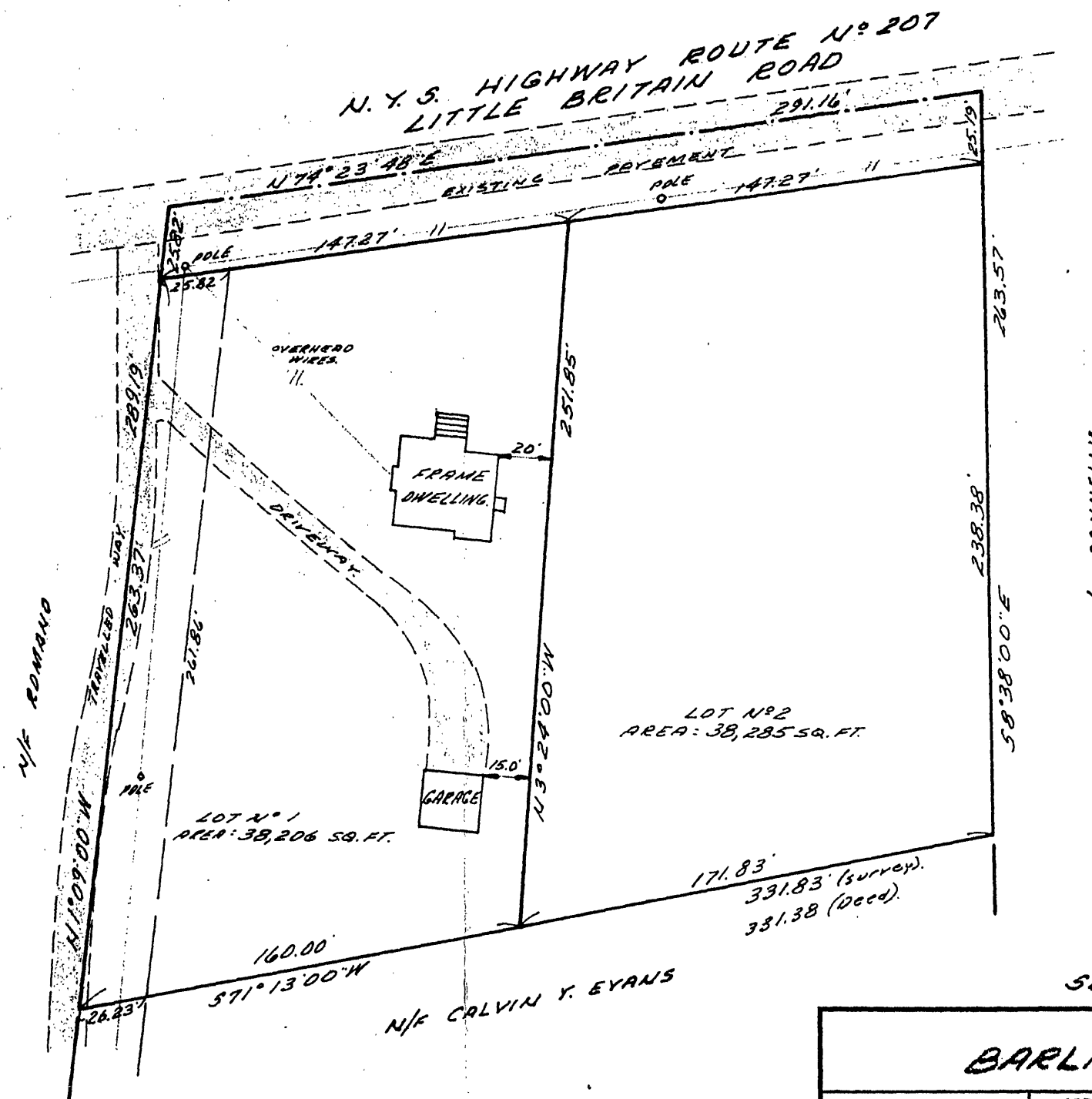
Since there was no further items on the agenda, and no further business before the Zoning Board of Appeals, motion followed by James Bothwell seconded by Rich Fenwick to adjourn. Motion carried, all ayes. Meeting adjourned.

Respectfully submitted,


PATRICIA RAZANSKY, Secretary

WASHBURN ASSOCIATES
ESTRADA ROAD
CENTRAL VALLEY, N.Y.

RECORD OWNER & SUBDIVIDER
ELORED P. CARHART, JR.
234 BROADWAY
NEWBURGH, N.Y.



SUBDIVISION FOR

BARLIN HOLDING CO.

SCALE: 1"=50'	APPROVED BY:	DRAWN BY
DATE: DEC. 1977		REVISED
TOWN OF NEW WINDSOR ORANGE CO., N.Y.		
		DRAWING NUMBER 1382

Ronald A. Washburn
LIC. N° 48368